

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Case No.: 3:09CV72

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) DEFAULT JUDGMENT OF FORFEITURE
)
)
\$15,320.00 IN UNITED STATES CURRENCY,)
)
)
Defendant.)

THIS MATTER is before the Court on the government's motion under Fed. R. Civ. P. 55(b)(2) for a Default Judgment of forfeiture against the Defendant Property.

THE COURT FINDS THAT:

1. A verified Complaint for Forfeiture in rem of the Defendant Property was filed on February 26, 2009. This Court found probable cause for forfeiture and issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to an Order of this Court, the government duly posted the Defendant Property. Service of process was made by certified mail and by internet publication of notice via www.forfeiture.gov on March 6, 2009 through April 4, 2009.
3. No person has filed a verified claim or an Answer within the time allowed by law, and the Clerk has accordingly entered Default.
4. Based on the affidavits of Assistant Special Agent in Charge with the North Carolina State Bureau of Investigation Kevin D. Carty, filed with the Complaint, the government has shown probably cause to believe that the Defendant Property was used or intended to be used to commit or facilitate the commission of violations of Title II of the Controlled Substances Act, 21 U.S.C. § 801, and that it is therefore subject to forfeiture under 21 U.S.C. § 881.

BASED ON THE FORGOING FINDINGS, THE COURT CONCLUDES that the government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The government's Motion for Default Judgment of Forfeiture is hereby granted.
2. Any and all right, title and interest of all person in the world in or to the following property is hereby forfeited to the United States; and no other right, title or interest shall exist therein: all present and future interest in \$15,320.00 in United States Currency that was seized on November 14, 2008 at the following location: Rocky River Road, near Interstate 485, Charlotte, North Carolina.
3. The United States is hereby directed to dispose of the forfeited Defendant Property as provided by law.

Signed: May 26, 2009



Robert J. Conrad, Jr.
Chief United States District Judge
